

## OGC Has Reviewed

### FEDERAL TORT CLAIMS

A recent case indicates that under the Federal Tort Claims Act there can be no recovery in plaintiff's favor unless federal employee was acting within scope of his office or employment when he committed the wrong. In the case of a federal employee, acting within the scope of office or employment means acting in line of duty. Recovery denied when Air Force plane was negligently operated without authorization, knowledge or consent of man's superior officers. See King v U.S. 178 F.2d 320 (28 U.S.C.A. §§ 1346, 2671 et seq.)

Federal Reporter Feb. 3 1950  
Page XXIII